

have gone against what is normally my grain, which is not to create different types of laws when you have one statute that applies to all kinds of thefts, for example, but in this area I think that it makes sense to do so, at least until technology has evolved to the state that we understand how it relates to our current laws, until there is some kind of common understanding. All right, so Section 3 of the bill, the first operative section which is shown on your committee amendments as Section 3, line 10, basically is a theft section. It prohibits the depriving another of property or obtaining property of services by the use of a computer so it parallels in the rest of our law the theft section of the statutes and it applies to anybody who intentionally accesses or causes to be accessed any computer without authorization and it also applies to those who have authorization, such as employees, but go beyond the scope of their authorization. In fact, all of the provisions, all four of the substantive provisions of the bill, are structured in that manner to apply to those who access the computer without authorization and to those who access a computer beyond their authorization. So that Section 3 is the theft section. Section 4 then is really a vandalism section. It has to do with altering, damaging, deleting, or destroying a computer, or a computer network, or a computer program, or computed data. It applies to situations where you may not be stealing it, you are just vandalizing it, mischief. So the parallel in our statutes right now is the vandalism sections, criminal mischief sections of the law that we have in place. Section 5 then deals with violations of confidentiality and violations taking place, of course, through the use of the computer and you can read through that. It basically has to do with acceding or with obtaining information filed by the public with the state or with any political subdivision. All information that is required by statute to be kept confidential is under this particular statute, kept confidential if filed by the computer, or a computer network, or a computer system. And then on the green copy, the last substantive provision is shown as Section 5 now in the green copy but becomes Section 6 with the committee amendments is what is commonly referred to as the "hacker" provision. It is a minor offense that is applicable to someone who accesses a computer without authorization to access a computer. It is like a trespass section in our normal law. It is almost like joyriding. You know you are going into the computer without authorization, trespassing. So that is the fourth